IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL

Criminal Misc. Application No. 884 of 2001
Old no. 1933/95

Dr. P.K. Mengi, Proprietor
M/s Dueful Laboratories
S/o Late Sri Tirth Ramji Mengi
R/o C-4, Motial Atal Road,
Police Station- Vidhayakpuri,
District- Jaipur (Rajasthan)

.....Applicant

Versus

1. State of Uttaranchal
2. Munna S/o Chepru
   R/o Village Gawadipatti
   Ghurdaur Syu,
   District-Pauri Garhwal .....Opp. Party

Smt. Sudhir Kumar Agarwal, learned counsel for the applicant.
Sri G.A. Sandhu, learned counsel for the State.

Hon'ble B.C. Kandpal, J.

This petition has been filed u/s 482 Cr. P.C. for quashing the proceedings pending in the court of Munsif Magistrate, Pauri in complaint case no. 301 of 1995, Munna S/o Chepru Vs. Dr. P.K. Mengi u/s 323, 504, 506 and 511 I.P.C.

List has been revised. None appeared on behalf of the applicant.

Perused the record.

Nothing could be observed by me which may suggest that there is a serious miscarriage of justice and abuse of process of the court. I am of the view that by exercising the powers u/s 482 Cr. P.C., proceedings pending before the criminal court can not be disturbed as the contention raised by the applicant relates to the question of the facts and the same can be assessed and considered by the trial court.

I do not find any force in this petition.

The petition is accordingly dismissed.

Interim order dated 18.07.1995 stands vacated.

(B.C. Kandpal, J.)

16th March, 2005
Shiv